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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,513	01/04/2001	Kenneth J. West	TTC 0228 PUS	4164

7590

09/27/2002

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EXAMINER

SHORT, PATRICIA A

ART UNIT

PAPER NUMBER

1712

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/754513

Applicant(s)

West et al

Examiner

Short

Group Art Unit

1712

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

☒ Responsive to communication(s) filed on July 8, 2002

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

☒ Claim(s) 1-8, 11-17 is/are pending in the application.

Of the above claim(s) 17 is/are withdrawn from consideration.

☐ Claim(s) is/are allowed.

☒ Claim(s) 1-8, 11-17 is/are rejected.

☐ Claim(s) is/are objected to.

☐ Claim(s) are subject to restriction or election requirement

## Application Papers

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

☐ All ☐ Some\* ☐ None of the:

☐ Certified copies of the priority documents have been received.

☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_

☐ Copies of the certified copies of the priority documents have been received

in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Reference(s) Cited, PTO-892

☐ Notice of Informal Patent Application, PTO-152

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Other \_\_\_\_\_

Office Action Summary

Art Unit: 1712

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-8 and 11-16 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a doorskin and process of preparing the doorskin by molding SMC that contains unsaturated polyester and co-curable unsaturated monomer as the curable resin component using a curing catalyst that is t-amylperoxybenzoate in an amount of 0.5 to 5 parts per 100 parts molding resin and a polymerization inhibitor composition in an amount of 0.01 to 1 part per 100 parts molding resin, calculated on the basis of a 5 weight percent concentration of inhibitor in the inhibitor composition, does not reasonably provide enablement for a doorskin and processes of preparing the doorskin using SMC that cures in 1 minute or less. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with these claims. The only curable resin component that is disclosed is an unsaturated polyester and co-curable monomer and the only system disclosed for curing the curable resin component in 1 minute or less is a combination of curing catalyst that is t-amylperoxybenzoate in an amount of 0.5 to 5 parts per 100 parts molding resin and a polymerization inhibitor composition in an amount of 0.01 to 1 part per 100 parts molding resin, calculated on the basis of a 5 weight percent concentration of inhibitor in the inhibitor composition. As there are no other curable resin components or catalysts disclosed and no criteria taught for selecting other curable resin components and catalysts, use of other curable resin components and catalyst would involve undue experimentation.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 1-8, 15 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1, the language "effective amount" with respect to the catalyst and inhibitor is indefinite, as it is not clear what the amounts are effective for. Claim 15 is indefinite in that it is drawn to a compression molded SMC doorskin or molded part; however, the catalyst system cure refers only to the doorskin.

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September 25, 2002

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